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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARCUS MATTINGLY,

Defendant.

Case No. 2:21-cr-00230-APG-VCF

**Stipulation to Continue Motion Deadline
(ECF No. 34)**

It is hereby stipulated and agreed, by and between Christopher Chiou, Acting United States Attorney, and Melanee Smith, Assistant United States Attorney, counsel for the United States of America, and Rene L. Valladares, Federal Public Defender, and Andrew Wong, Assistant Federal Public Defender, counsel for Marcus Mattingly, that the government's response to defendant's Motion to Suppress Fruits of Facebook Warrant (ECF No. 34) be continued to December 1, 2021.

This Stipulation is entered into for the following reasons:

1. The defendant filed a Motion to Suppress Fruits of Facebook Warrant on October 21, 2021. The defendant's motion was not timely filed, and the government did not oppose the untimely filing.

1 2. The government conditioned its non-opposition on the representation of
2 defendant's counsel that he would not oppose the government having additional time to
3 file its response.

4 3. The defendant is in custody and agrees to the continuance.

5 4. The parties agree to the continuance.

6 Dated this 23rd day of November 2021.

7 CHRISTOPHER CHIOU
Acting United States Attorney

RENE L. VALLADARES
Federal Public Defender

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9 _____/s/_____
10 MELANEE SMITH
Assistant United States Attorney

_____/s/_____
ANDREW WONG
Counsel for Marcus Mattingly

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

Case No. 2:21-cr-00230-APG-VCF

4 Plaintiff,

ORDER

5 vs.

6 MARCUS MATTINGLY,

7 Defendant.

8 Based on the pending Stipulation between the defense and the government, and
9 good cause appearing therefore, the Court orders that the government has to and including
10 December 1, 2021 to file its response to defendant's Motion to Suppress Fruits of Facebook
11 Warrant (ECF No. 34).

12 DATED this 23rd day of November, 2021.

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15 Cam Ferenbach
16 United States Magistrate Judge
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